REMARKS/ARGUMENTS

In the Final Office Action of October 7, 2008, claims 1 and 3-13 are rejected. In response, claims 1 and 5 have been amended. Applicant hereby requests reconsideration of the application in view of the claim amendments and the below-provided remarks.

Claim Rejections under 35 U.S.C. 112

Claims 1 and 3-13 are rejected as allegedly being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. In response, claims 1 and 5 have been amended to remove the phrase "*wherein early triggering is permitted in the special mode of operation, and early triggering is not permitted in the normal mode of operation.*" As such, Applicant respectfully requests that the Section 112 rejections of claims 1 and 3-13 be withdrawn.

Claim Rejections under 35 U.S.C. 102 and 35 U.S.C. 103

Claims 1, 3, 5 and 9 are rejected under 35 U.S.C. 102(b) as allegedly being anticipated by Stolan (U.S. Pat. No. 5,864,663). Claims 4 and 6-8 are rejected under 35 U.S.C. 103(a) as allegedly being unpatentable over Stolan in view of Ubicom (Ubicom Product Report –IP2002 Internet Processor, hereafter "Ubicom"). Claims 10-13 are rejected under 35 U.S.C. 103(a) as allegedly being unpatentable over Stolan in view of Kamiya et al. (U.S. Pat. No. 6,144,887, hereafter "Kamiya"). Applicant respectfully submits that the pending claims are patentable over Stolan, Ubicom, and Kamiya for the reasons provided below.

Independent Claim 1

Claim 1 has been amended to include the limitation "*a check is made to see whether the special sequence has been successfully applied.*" Claim 1 has also been amended to particularly point out that a special mode of operation can be activated once after the check has been made to see whether the special sequence has been successfully applied and after the reset operation. Support for the amendments can be found in Applicant's specification at, for example, page 3, lines 28-30, and page 6, lines 5-8.

Additionally, claim 1 has been amended to remove the phrase "*wherein early triggering is permitted in the special mode of operation, and early triggering is not permitted in the normal mode of operation.*" As amended, claim 1 recites:

> "A method of monitoring the operation of at least one microcontroller unit that is intended for at least one application and is associated with a system, by means of at least one base chip, particularly a system base chip, characterized in that:
>
> a reset of the microcontroller unit is caused if at least one special sequence, particularly at least one drive or access sequence assigned to the reset operation, is applied to the base chip and a check is made to see whether the special sequence has been successfully applied; and
>
> a special mode of operation, particularly a flash mode of the base chip, can be activated once after the check has been made to see whether the special sequence has been successfully applied and after the reset operation, by allowing access to at least one monitoring module that is associated with the base chip to take place in a manner which is simplified in comparison with the normal mode of operation of the microcontroller unit." (emphasis added).

Applicant respectfully asserts that Stolan does not disclose that "*a check is made to see whether the special sequence has been successfully applied*" and "*a special mode of operation, particularly a flash mode of the base chip, can be activated once after the check has been made to see whether the special sequence has been successfully applied and after the reset operation,*" as recited in amended claim 1. Stolan discloses that a normal mode of a watch dog timer circuit (10) occurs when a mode select signal (28) is set to a logic zero and a programming mode of the watch dog timer circuit (10) occurs when the mode select signal (28) is set to a logic high, as described in column 5, lines 5-16. However, Stolan does not disclose that a check is made to whether the mode select signal (28) has been successfully applied to the watch dog timer circuit (10). Stolan also fails to disclose that the programming mode of the watch dog timer circuit (10) occurs after a check has been made to see whether the mode select signal (28) has been successfully applied to the watch dog timer circuit (10). Because Stolan does not disclose all the limitations of amended claim 1, Applicant respectfully submits that amended claim 1 is not anticipated by Stolan.

Dependent Claims 3-4 and 10-11

Claims 3, 4, 10, and 11 depend from and incorporate all of the limitations of the independent claim 1. Thus, Applicant respectfully asserts that claims 3, 4, 10, and 11 are allowable at least based on an allowable claim 1.

Independent Claim 5

Claim 5 has been amended to remove the phrase "*at least one special sequence, particularly a drive or access sequence, that is assigned to a reset of the microcontroller unit*" and to include the limitation "*wherein a reset of the microcontroller unit is caused if at least one special sequence, particularly at least one drive or access sequence assigned to the reset operation, is applied to the base chip and a check is made to see whether the special sequence has been successfully applied.*" Claim 5 has also been amended to particularly point out that a special mode of operation can be activated once after the check has been made to see whether the special sequence has been successfully applied and after the reset operation. Support for the amendments can be found in Applicant's specification at, for example, original claim 1, page 3, lines 28-30, and page 6, lines 5-8. Additionally, claim 5 has been amended to remove the phrase "*wherein early triggering is permitted in the special mode of operation, and early triggering is not permitted in the normal mode of operation.*" As amended, claim 5 includes similar limitations as amended claim 1. Because of the similarities between claim 1 and claim 5, Applicant respectfully asserts that the above remarks with regard to amended claim 1 apply also to amended claim 5. Accordingly, Applicant respectfully asserts that amended claim 5 is not anticipated by Stolan.

Dependent Claims 6-9 and 12-13

Claims 6-9 and 12-13 depend from and incorporate all of the limitations of the independent claim 5. Thus, Applicant respectfully asserts that claims 6-9 and 12-13 are allowable at least based on an allowable claim 5.

Double Patenting Rejection

Claims 1 and 3-13 are provisionally rejected on the ground of nonstatutory obviousness-type double patenting as allegedly being unpatentable over claims 1 and 3-9 of copending Application No. 10/517,471 in view of Stolan, Ubicom and Kamiya. Applicant notes herein that the alleged double patenting rejections will be addressed at a later time, assuming that these rejections are still applicable.

CONCLUSION

Applicant respectfully requests reconsideration of the claims in view of the amendment and remarks made herein. A notice of allowance is earnestly solicited.

Respectfully submitted,

Matthias Muth

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By: /thomas h. ham/
Thomas H. Ham
Reg. No. 43,654

Wilson & Ham
PMB: 348
2530 Berryessa Road
San Jose, CA 95132
Phone: (925) 249-1300
Fax: (925) 249-0111